

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DEALER COMPUTER SERVICES, INC.,	§	
fka FORD DEALER COMPUTER	§	
SERVICES, INC.,	§	
	§	
Plaintiff,	§	
	§	
VS.	§	CIVIL ACTION NO. H-08-2066
	§	
VICTORY FORD LINCOLN MERCURY,	§	
INC.,	§	
	§	
Defendants.	§	

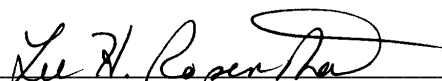
MEMORANDUM AND ORDER

The plaintiff, Dealer Computer Services, Inc., fka Ford Dealer Computer Services, Inc., moves this court for entry of default and final default judgment against the defendant, Victory Ford Lincoln Mercury, Inc. This defendant has been served but has failed to answer the complaint as required by Rule 12, Fed. R. Civ. P., making entry of default proper.

Dealer Computer Services, Inc., fka Ford Dealer Computer Services, Inc. has filed affidavits and exhibits in support of its claims for actual damages and reasonable attorneys' fees. Dealer Computer Services, Inc., fka Ford Dealer Computer Services, Inc. has also sent Victory Ford Lincoln Mercury, Inc. notice of the motion for entry of default and default judgment. Further notice to the defendant and further hearings are not necessary. Rule 55(b)(2), Fed. R. Civ. P.

Dealer Computer Services, Inc., fka Ford Dealer Computer Services, Inc. has established its entitlement to default judgment against Victory Ford Lincoln Mercury, Inc. It is ordered that the arbitration award in the arbitration styled *Dealer Computer Services, Inc. fka Ford Dealer Computer Services, Inc. v. Victory Ford Lincoln Mercury, Inc.*, (Case No. 54 117 Y 00970 05), in favor of the plaintiff Dealer Computer Services, Inc., fka Ford Dealer Computer Services, Inc., be confirmed in all respects. It is further ordered that Dealer Computer Services, Inc., fka Ford Dealer Computer Services, Inc. recover the following amounts from Victory Ford Lincoln Mercury, Inc.: damages in the amount of \$732,129.24; attorneys' fees and expenses in the amount of \$13,065.48; AAA administrative fees in the amount of \$11,550.00; arbitrator compensation in the amount of \$1,950.00; and prejudgment interest from May 5, 2008 at the rate of 5.033% per annum.

SIGNED on October 30, 2008, at Houston, Texas.



Lee H. Rosenthal
United States District Judge